

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 18925 of 2004

Between:

1. Ch.Bhoomanna,

S/o Narsimhulu,
working in the office of the Project Director,

District Water Management Agency,

Adilabad,

Adilabad District.

2. A.Poshetty,

s/o Pochanna,
working in the office of the Project Director,

District Water Management Agency,

Adilabad,

Adilabad District.

3. A.Pochanna,

S/o Pochanna,
working in the office of the Project Director,

District Water Management Agency,

Adilabad,

Adilabad District.

..... PETITIONERS

AND

1. The State of Andhra Pradesh,

rep., by its Principal Secretary to Govt.,
Finance and Planning Department,

Secretariat,

Hyderabad.

2. The District Collector/Chairman, DRDA & DPAP/DWMA,
Adilabad,

Adilabad District.

3. The Project Director,

District Rural Development Agency,
Adilabad,

Adilabad District.

4. The Project Director,

Drought Prone Area Programme,
presently called as District Water Management Agency,

Adilabad,

Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents in not regularizing the services of the petitioners as Attenders from the date of completion of five (5) years of their services in terms of GO Ms.No.212, Fin.Plg.(FW.PC.III) Department, dated 22-4-1994 as arbitrary, illegal and violative of Article 226 of the Constitution of India, consequently direct the respondents to regularize the services of the petitioners as Attenders from the date of completion of five (5) years of service in terms of G.O.Ms.No.212 Fin.& Plg.(FW.PC.III) Dept., dated 22-4-1994 and pay the arrears of pay.

Counsel for the Petitioners: Mr. S.VEERAI AH

**Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL
DEVELOPMENT.**

The Court at the stage of admission made the following ORDER:

The petitioners are claiming that they were appointed as Attenders on temporary basis through the proceedings dated 5-8-1996 in pursuance of the directions of this Court in W.P.No.29125 of 1995 dated 13-1-1996 and they are working in that capacity in the regular scale of pay. The grievance of the petitioners is that their services are not regularized after completion of the period of five years and they are not getting the benefit of surrendering the Earned leave like regular employees and they are also denied the other benefits, which are extended to the regular employees. Therefore, they made a representation on 24-1-2004 to respondents 2 to 4, but the respondents have not passed any orders on the said representation regarding their regularization. The petitioners, therefore, approached this Court seeking a direction to the 2nd respondent to consider their cases for regularization of their services as Attenders.

In the light of the submissions made by the petitioners, the 2nd respondent is directed to pass appropriate orders on the representation of the petitioners dated 24-1-2004 regarding their request for regularization of their services. The 2nd respondent shall instruct the concerned to examine whether the petitioners are eligible for regularization, and if they are eligible, to pass appropriate orders extending the benefit of regularization to them from the relevant date.

The Writ Petition is accordingly disposed of.

(Dr. G.YETHIRAJULU,J)

13th October, 2004.

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To

1. The Principal Secretary to Govt.

State of Andhra Pradesh,

Finance and Planning Department,

Secretariat,

Hyderabad.

2. The District Collector/Chairman, DRDA & DPAP/DWMA,
Adilabad,

Adilabad District.

3. The Project Director,

District Rural Development Agency,
Adilabad,

Adilabad District.

4. The Project Director,

Drought Prone Area Programme,
presently called as District Water Management Agency,

Adilabad,
Adilabad District.

5. Two CCs to the G.P. for Panchayat Raj

and Rural Development, High Court of A.P., Hyderabad(O.U.T.)

6. Two CD copies.